

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 2:22cr61
)	
DAVID MICHAEL HOOKE,)	18 U.S.C. § 2252(a)(4)
)	Possession of Images of Minors
Defendant,)	Engaging in Sexually Explicit Conduct
)	(Count One)
)	
)	18 U.S.C. § 2253
)	Forfeiture

AMENDED **INDICTMENT** (see pg. 2 for change)

May 2022 Term -- At Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

GENERAL ALLEGATIONS

1. On or about August 1, 2016, defendant David Michael Hooke was convicted in Franklin (Virginia) Circuit Court for five counts of Possession of Child Pornography, in violation of Va. Code § 18.2-374.1:1.
2. This conviction is a prior conviction “relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography.” 18 U.S.C. § 2252(b)(2).

COUNT ONE

The general allegations in paragraphs One and Two are incorporated herein.

Between on or about May 18, 2021, and on or about September 16, 2021, in Chesapeake, within the Eastern District of Virginia, defendant DAVID MICHAEL HOOKE did knowingly

possess one or more matters, that is, a HP laptop * computer and the hard drive contained therein, both of which were manufactured outside of the Commonwealth of Virginia, which contained a visual depiction that had been mailed, and had been shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which was produced using materials which had been so mailed, shipped, and transported, by any means including by computer, and the production of such visual depiction involved the use of a minor, including a prepubescent minor and minor who had not attained 12 years of age, engaging in sexually explicit conduct, and such visual depiction is of such conduct.

(In violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2256(1) and (2).)

*Indictment amended to reflect a HP laptop instead of a Dell. Amended in open court on 8/25/22. WT

CRIMINAL FORFEITURE

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE THAT:

A. The defendant, DAVID MICHAEL HOOKE, upon conviction of any of the counts in this Indictment, as part of the sentencing of the defendant pursuant to Fed. R. Crim. P. 32.2, shall forfeit to the United States:

1. Any and all matter which contains child pornography or any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, 2252, 2252A, 2252B, or 2260 produced, transported, mailed, shipped, distributed, or received in violation of Title 18, United States Code, Section 2251 *et seq.*;

2. Any and all property, real and personal, used or intended to be used in any manner or part to commit or to promote the commission of violations of Title 18, United States Code, Section 2251 *et seq.*, and any property traceable to such property;

3. Any and all property, real and personal, constituting, derived from, or traceable to gross profits or other proceeds obtained from the violations of Title 18, United States Code, Section 2251, *et seq.*; and

4. If any property that is subject to forfeiture above is not available, it is the intention of the United States to seek an order forfeiting substitute assets pursuant to Title 21, United States Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

B. The property subject to forfeiture includes, but is not limited to, the items seized in or around September 2021.

(All pursuant to Title 18, United States Code, Sections 2253 and Title 21, United States Code, Section 853(p)).

United States v. DAVID MICHAEL HOOKE
Criminal No. 2:22CR

A TRUE BILL:

FOREPERSON

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